

WITNESS NAME:	Thomas Prevoznik
DEPOSITION DATE:	4/18/2019

AFFIRMATIVE DEPOSITION DESIGNATIONS						COUNTER DESIGNATIONS								REPLY DESIGNATIONS							
Page/Line Begin		Page/Line End		Objections	Replies to Objections	Page/Line Begin		Page/Line End		Objections	Objection Notes	Replies to Objections	Page/Line Begin		Page/Line End		Objections	Objection Notes	Replies to Objections		
597	6	597	24			436	22	438	16												
598	1	598	10	Argumentative; improper testimony from counsel	Counsel's questions are not evidence	442	20	442	21												
598	12	598	24	Leading; hearsay	Objections waived because not made on the record; questioning involves preliminary matters; H - FRE 803(8) (testimony of Acting Administrator of the DEA), Defendants introduce the same testimony at 436-438	443	3	443	3												
599	1	603	21	Leading; hearsay	See above	443	5	443	9												
603	22	604	8	Foundation; incomplete hypothetical	Question is appropriate	443	12	443	14												
604	11	604	11	Foundation; incomplete hypothetical	Question is appropriate	443	17	443	18												
604	13	604	21	Foundation; incomplete hypothetical	Question is appropriate	462	20	463	2												
605	1	605	24	Foundation; hearsay; relevance; improperly testimony from counsel	Objections waived because not made on the record; counsel's questions are not evidence; court has already overruled relevance objection; congressional report is public record (FRE 803(8))	463	6	463	18												
606	6	606	6	Foundation; hearsay; relevance	see above	464	15	465	7												
607	1	607	5	Foundation; relevance; speculation	Question is appropriate	465	12	466	15												
607	9	607	13	Foundation; relevance; speculation; argumentative	Question is appropriate	469	9	469	18												
607	16	607	16	Foundation; relevance; speculation; argumentative	see above	469	21	469	21												
609	14	610	17	Hearsay; improper opinion	FRE 803(8) (testimony of Acting Administrator of the DEA), Defendants introduce the same testimony at 436-438;	492	4	492	6												
612	20	613	3	Speculation	Not speculation; witness is testifying based on 28 years of DEA experience (see attached Response to Objection)	492	9	492	16												
613	7	613	14	Hearsay; speculation	FRE 803(8) (testimony of Acting Administrator of the DEA), Defendants introduce the same testimony at 436-438; not speculation; witness is testifying based on 28 years of DEA experience (see attached Response to Objection)	492	20	492	20												
613	17	613	24	Hearsay; speculation	FRE 803(8) (testimony of Acting Administrator of the DEA), Defendants introduce the same testimony at 436-438; not speculation; witness is testifying based on 28 years of DEA experience (see attached Response to Objection)	528	4	528	12												
615	1	615	5	Improper opinion; foundation; speculation	Not speculation or opinion; witness is testifying based on 28 years of DEA experience	528	17	528	19												
615	8	616	14	Hearsay; speculation	FRE 803(8) (testimony of Acting Administrator of the DEA), Defendants introduce the same testimony at 436-438; not speculation; witness is testifying based on 28 years of DEA experience (see attached Response to Objection)	558	8	558	13												
616	19	617	4			558	16	558	17												
621	5	621	16	Improper testimony from counsel; misstates testimony	Counsel's questions are not evidence																
621	17	621	20	Argumentative; foundation; prejudicial; speculation; vague as to timeframe and geographic scope; assumes facts not in evidence; misstates the record	Timeframe is contained within the question; facts are established and within the witness's knowledge based upon 28 years of DEA experience (see attached Response to Objection)																
624	13	624	18	Foundation; speculation; impermissible use of settlement agreement; legal conclusion; improper expert opinion	Facts are established and within the witness's knowledge based upon 28 years of DEA experience (see attached Response to Objection); question does not elicit a legal conclusion; 408-evidence not offered to prove the amount of the disputed claim or to impeach by a prior inconsistent statement or a contradiction																
625	2	625	8	Foundation; hearsay; improper testimony from counsel; Incomplete hypothetical	Question is appropriate and does not pose a hypothetical																
628	12	629	7	Foundation; hearsay; improper opinion; speculation; improper testimony from counsel; incomplete hypothetical; outside the scope of witness's Touhy designation	Question is appropriate; DEA attorney did not object and permitted witness to testify, thus evidencing no Touhy concerns																
628	24	629	7	Foundation; hearsay; improper testimony from counsel; incomplete hypothetical	Question is appropriate																

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629	14	630	13	Foundation; hearsay; improper opinion; improper expert opinion; legal conclusion; improper testimony from counsel; incomplete hypothetical	Question is appropriate and does not pose a hypothetical or seek a legal conclusion or expert opinion; witness is qualified to speak to DEA's position based upon 28 years' experience at the agency (see attached Response to Objection); document not offered for truth of the matter asserted														
629	14	629	15	Foundation; hearsay; improper testimony from counsel; incomplete hypothetical	Question is appropriate														
632	5	632	14	Improper testimony from counsel	Question is appropriate														
632	17	632	19	Legal conclusion	Question is appropriate														
632	22	632	22	Legal conclusion	Question is appropriate														
633	4	633	11	Improper testimony from counsel	Counsel's questions are not evidence														
633	12	634	1	Leading	Question concerns preliminary matter														
634	9	634	12																
634	14	635	1																
635	4	635	4																
636	22	637	15																
636	22	637	12																
637	15	637	15																
638	10	638	20																
638	24	638	24																
639	2	639	7	Legal conclusion	Question concerns preliminary matter														
639	10	639	10	Legal conclusion	Question concerns preliminary matter														
639	22	640	20																
641	14	641	18																
642	3	642	5	Legal conclusion	Question does not seek legal conclusion, seeks DEA's position														
642	10	642	14	Legal conclusion	Question does not seek legal conclusion, seeks DEA's position														
642	10	642	10	Legal conclusion	Question does not seek legal conclusion, seeks DEA's position														
642	12	642	14																
643	1	643	5																
643	1	643	1																
643	3	643	5																
643	8	643	12	Speculation	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)														
643	8	643	8																
643	10	643	12																
643	15	643	15																
643	16	643	17																
643	19	643	23																
644	11	644	16																
644	11	644	11																
644	13	644	16																
644	22	644	22																
661	19	663	9																
661	19	662	4																
661	19	662	5																
662	13	662	14																
665	14	665	18																
665	21	666	12	Speculation; legal conclusion; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question does not seek legal conclusion														
666	22	667	2	Speculation; legal conclusion; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question does not seek legal conclusion														

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667	10	667	10											
667	23	668	7											
668	22	668	24											
669	9	669	15											
671	4	671	7	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)									
671	11	673	6	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)									
671	11	673	6	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)									
671	11	672	4	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)									
672	7	672	18	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)									
673	2	673	16	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)									
673	7	673	16	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)									
673	19	673	19	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)									
674	8	674	13	Legal conclusion	Question concerns DEA guidance and does not seek legal conclusion									
675	3	675	7											
679	18	680	5	Foundation; legal conclusion; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question does not seek legal conclusion									
680	8	680	8	Foundation; legal conclusion; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question does not seek legal conclusion									
692	10	692	11											
692	10	692	18											
692	16	692	18											
693	1	695	15											
693	1	694	9											
694	19	694	22											
695	17	696	10											
695	21	696	10											
696	15	696	24											
697	6	697	10											
697	12	698	9											
697	12	697	12											
698	12	698	12	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)									
700	4	700	9	Speculation	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)									
700	13	700	13	Speculation	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)									
700	15	700	15											
700	20	700	20											
700	24	700	24											
701	2	701	11	Speculation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)									
701	16	702	8											

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702	24	703	8																
703	13	703	13																
709	2	709	6	Foundation; speculation; assumes facts not in evidence; misconstrues the document; lack of personal knowledge; outside the scope	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question is factual in nature and not based on facts not in evidence														
709	10	709	10	Foundation; speculation; lack of personal knowledge; misconstrues document	see above														
710	12	711	8																
712	7	713	4	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)														
713	20	714	1	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)														
714	5	714	14	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)														
715	4	716	3	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)														
716	9	716	9	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)														
716	11	716	20	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)														
716	24	717	2	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)														
717	6	717	6	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)														
720	8	720	11	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)														
720	14	720	14	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)														
722	11	722	17	Leading; foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question is appropriate														
722	24	723	3	Leading; foundation; lack of personal knowledge; improper testimony from counsel	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question is appropriate and counsel's statements are not evidence														
723	8	723	8	Leading; foundation; lack of personal knowledge; improper testimony from counsel	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question is appropriate and counsel's statements are not evidence														
724	12	724	20	Leading; foundation; lack of personal knowledge; improper testimony from counsel	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question is appropriate and counsel's statements are not evidence														
725	1	725	1	Leading; foundation; lack of personal knowledge; improper testimony from counsel	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question is appropriate and counsel's statements are not evidence														
734	19	735	6	Foundation; outside the scope	Question concerns DEA's policies; witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)														
737	12	737	18	Misconstrues the document	Question is factual in nature														
737	22	737	23																
738	14	738	23	Foundation; improper testimony from counsel; misconstrues the document	Counsel's questions are not evidence; question seeks factual information														
739	4	739	11																
739	17	739	24																
740	5	740	5																

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747	9	747	14																
747	19	747	20																
749	6	749	13																
749	20	750	3																
750	7	750	8																
750	10	750	19																
750	22	750	22																
752	6	752	9	Speculation	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)														
752	14	752	15	Speculation	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)														
752	17	752	20	Legal conclusion	Question does not seek legal conclusion but concerns DEA's interpretation of regulations														
752	24	753	1	Legal conclusion	Question does not seek legal conclusion but concerns DEA's interpretation of regulations														
755	2	755	4																
755	8	755	15	Leading; foundation; lack of personal knowledge	Question is appropriate														
755	20	756	1																
756	6	756	6																
759	19	760	2	Speculation; foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection)														
760	7	760	7																
760	9	768	9																
761	1	761	14																
764	1	764	4																
764	8	764	8																
765	19	766	3																
766	7	766	10																
768	14	768	21																
768	24	769	4																
770	6	770	11	Foundation; lack of personal knowledge; assumes facts not in evidence; mischaracterizes prior Cardinal Health testimony	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question is factual in nature														
770	17	770	18	Foundation; lack of personal knowledge; assumes facts not in evidence; mischaracterizes prior Cardinal Health testimony	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question is factual in nature														
771	7	771	10																
771	14	771	17	Foundation; legal conclusion; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question is factual in nature														
771	20	771	20	Foundation; legal conclusion; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question is factual in nature														
772	10	772	13	Foundation; lack of personal knowledge; outside the scope; calls for a legal conclusion	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question is factual in nature														
772	18	772	18	Foundation; lack of personal knowledge	Witness is qualified to testify based on 28 years' experience at the agency (see attached Response to Objection); question is factual in nature														